

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Criminal Action No. 07-134-SLR
	:	
MARQUES COMER,	:	
	:	
Defendant.	:	

MOTION TO EXTEND TIME TO FILE PRE-TRIAL MOTIONS

Defendant, Marques Comer, by and through his undersigned counsel, Eleni Kousoulis, hereby moves the Court pursuant to Federal Rule of Criminal Procedure 45(b) and Local Rule 5(a), for an Order enlarging the time within which pre-trial motions may be filed.

In support of this motion, the Defendant submits as follows:

1. Pre-trial motions for this case are due by November 13, 2007.
2. Late in the afternoon on November 5, 2007, defense counsel received a tape recording of a statement allegedly taken from Mr. Comer by law enforcement officers following Mr. Comer's arrest in this case. Defense counsel has not had the opportunity to review this tape or to discuss the tape and its contents with Mr. Comer. Defense counsel requires additional time to sufficiently review this tape with Mr. Comer, to determine what, if any, pre-trial motions need to be filed.
3. Defense counsel, therefore, respectfully requests an additional three weeks in which to file pre-trial motions, to allow her sufficient time to review the tape and to discuss the tape and the

case in general with Mr. Comer.¹

4. Assistant United States Attorney, Shawn Weede, the attorney handling this case for the government, does not oppose the defense's request for an enlargement of time in which to file any pre-trial motions, making this motion unopposed.

5. The defense agrees to waive, pursuant to the Speedy Trial Act, any additional time given in which to file pre-trial motions.

WHEREFORE, it is respectfully requested that the time for Defendant to file pre-trial motions be extended to anytime after December 4, 2007.

Respectfully Submitted,

/s/

Eleni Kousoulis, Esquire
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Attorney for Defendant Marques Comer

Dated: November 7, 2007

¹Defense counsel will be out of the office from November 7, 2007 through November 14, 2007, and has a two to three day jury trial scheduled to begin on November 19, 2007, which is why an additional three weeks is requested.

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Defendant.	:	

ORDER

Having considered Defendant Comer's Motion to Extend Time to File Pre-trial Motions,
IT IS HEREBY ORDERED this _____ day of _____, 2007, that Defendant
Comer's pre-trial motions shall be due on the _____ day of _____, 2007,
and that the time from November 13, 2007 up to the new due date for pre-trial motions to be filed
shall be excluded under the Speedy Trial Act (18 U.S.C. § 3161, et seq.).

The Honorable Sue L. Robinson
United States District Court